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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/420,787 10/19/99 DANIELS

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EXAMINER

WM01/0814

PERKINS COIE LLP
1201 3RD AVENUE SUITE 4800
SEATTLE WA 98109-3099

MAIER, C

ART UNIT

PAPER NUMBER

2675

DATE MAILED:

08/14/01

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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Office Action Summary

Application No.

09/420,787

Applicant(s)

DANIELS, TED

Examiner

Christopher J. Maier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claims 9 and 16, as dependent on claim 1, claims 25-34 and claim 37, as dependent on claim 35, are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for a wireless connection, does not reasonably provide enablement for a hardwired connection. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make the invention commensurate in scope with these claims.

Applicant states in claims 1 and 25 that there is a wireless input device for communicating with a computer. However, in claims 9, 16 and 25, applicant states that the connection is hardwired when the wireless input device is connected to the computer. It is not possible for the input device to be both wireless and hardwired.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-4, 10-15, 21-24, 35-36, 38, 41 and 43 are rejected under 35

U.S.C. 102(e) as being anticipated by Klein et al (U.S. Patent No. 6,205,021 B1).

As to claim 1, Klein discloses a portable personal computer comprising a base having a controller for controlling operations thereof in figure 2 and column 1, lines 24-63. Klein further discloses a display attached to the base in figure 2, item 81. Klein also discloses a removable wireless input device for communicating with the controller in the base through a signal interface when mounted into the base or through a wireless connection when removed from the base in figure 2, item 51 and column 2, lines 24-63.

As to claim 2, Klein discloses that the base has at least one infrared device for receiving infrared signals in figure 2, item 74 and column 6, lines 42-62.

As to claim 3, Klein discloses that the base has at least one infrared device for transmitting infrared signals in figure 2, item 74 and column 6, lines 42-62.

As to claim 4, Klein discloses that the base has a recess sized to fit the removable wireless input device when the removable wireless input device is mounted into the base in figure 2.

As to claim 10, Klein discloses that the signal interface is an infrared connection in figure 2, items 73-74 and column 6, lines 42-62.

As to claim 11, Klein discloses that the signal interface is a radio frequency connection in column 2, lines 45-63.

As to claim 12, Klein discloses that the removable wireless input device further includes an infrared transducer in figure 2, item 73 and column 6, lines 42-62.

As to claim 13, Klein discloses that the removable wireless input device has at least one infrared device for at least transmitting infrared signals in figure 2, item 73 and column 6, lines 42-62.

As to claim 14, Klein discloses that the removable wireless input device has an upper surface and a lower surface, and at least first, second and third sides perpendicular to the upper and lower surfaces, and at least first and second infrared devices for at least transmitting infrared signals, the first and second infrared devices located on at least two of the first, second, and third sides of the removable wireless input device in figure 6, item 73, and column 8, lines 27-55.

As to claim 15, Klein discloses that the removable wireless input device includes a radio frequency transmitter and the base includes a radio frequency receiver in figure 2, items 73-74 and column 6, lines 42-62.

As to claim 21, Klein discloses that there is at least one retaining device for securing the removable wireless input device to the base in column 5, lines 25-45.

As to claim 22, Klein discloses that at least one retaining device is a spring ball bearing in figure 5, items 38 and column 8, lines 3-19.

As to claim 23, Klein discloses that at least one retaining device includes a tab and a slot, one of the tab and slot located on one of the removable wireless input device and the base and the other of the tab and the slot located on the other of the removable wireless input device and the base, wherein the tab fits into the slot to secure the removable wireless device to the base in figure 5 and column 8, lines 2-19.

As to claim 24, Klein discloses an ejector mechanism for removing the removable wireless input device when the removable wireless input device is mounted in the base in figure 5 and column 8, lines 2-19.

As to claim 35, Klein discloses a method of controlling a portable computer with an input device, the method comprising the acts of operating a controller with a base of the computer with an input device which generates operational signals to the controller when connected with the base as well as when physically separated from the base in figure 2 and column 1, lines 24-63.

As to claim 36, Klein discloses the act of transmitting the operational signals as light signals to the base when the input device is physically separated from the base in figure 2, item 74 and column 6, lines 42-62.

As to claim 38, Klein discloses that the act of transmitting the operational signals as light signals is accomplished by transmitting infrared signals in figure 2, item 74 and column 6, lines 42-62.

As to claim 41, Klein discloses the act of physically connecting the input device with the base in column 5, lines 25-45.

As to claim 43, Klein discloses the act of physically separating the input device with the base in column 5, lines 25-45.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 5-8 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klein in view of Kimura et al (U.S. Patent No. 6,108,716).

As to Klein's disclosures, see above rejections.

As to claim 5, as dependent on claim 1, Klein does not disclose that the removable wireless input device is a keyboard.

Kimura discloses that the removable wireless input device is a keyboard in figure 22, item 100.

It would have been obvious to one having ordinary skill in the art at the time of the invention to make the removable wireless input device of Klein a keyboard, such as shown by Kimura, because both deal with removable computer input devices that can transfer commands via infrared transmitter.

As to claim 6, Klein discloses that the wireless input device includes a pointing device in figure 2, item 51 and column 2, lines 45-63.

As to claim 7, Klein discloses that the pointing device functions as a computer track ball apparatus in figure 4, item 58 and column 2, lines 45-63.

As to claim 8, Klein discloses that the pointing device functions as a computer touch pad apparatus in figure 2, item 51 and column 2, lines 45-63.

As to claim 17, Klein does not disclose that the removable wireless input device has a power supply independent of the base.

Kimura discloses that the removable wireless input device has a power supply independent of the base in column 13, lines 36-55.

It would have been obvious to one having ordinary skill in the art at the time of the invention to include a power supply independent of the base as in Kimura with the wireless input of Klein in order to allow the wireless input to function for a period of time after being removed from the base.

As to claim 19, Klein does not disclose that the power supply comprises at least one battery.

Kimura discloses that the power supply comprises at least one battery in column 13, lines 36-55.

It would have been obvious to one having ordinary skill in the art at the time of the invention to combine a power supply independent of the base comprising at least one battery as in Kimura with the wireless input unit of Klein because batteries are well known as a portable source of power in the art.

As to claim 20, Klein does not disclose that at least one battery is charge by the base when the removable wireless input device is mounted into the base.

Kimura discloses that at least one battery is charge by the base when the removable wireless input device is mounted into the base in column 12, lines 66-67 and column 13, lines 1-25.

It would have been obvious to one having ordinary skill in the art at the time of the invention to combine the base charging at least one battery mounted in the wireless input unit of Kimura with the wireless input unit of Klein in order to give the wireless input unit battery power combined with the capability of being recharged when the batteries lose power.

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4. Claims 39-40, as dependent on claims 35 and 39, respectively, are rejected under 35 U.S.C. 103(a) as being unpatentable over Klein in view of Kimura et al.

As to Klein's disclosures, see above rejections.

As to claim 39, Klein does not disclose the act of supplying an independent power source to the input device.

Kimura discloses the act of supplying an independent power source to the input device in column 13, lines 36-55.

It would have been obvious to one having ordinary skill in the art at the time of the invention to combine a power supply independent of the base comprising at least one battery as in Kimura with the wireless input unit of Klein because batteries are well known as a portable source of power in the art.

As to claim 40, Klein does not disclose the act of charging the independent power source when the input device is connected with the base.

Kimura discloses the act of charging the independent power source when the input device is connected with the base in column 12, lines 66-67 and column 13, lines 1-25.

It would have been obvious to one having ordinary skill in the art at the time of the invention to combine the base charging at least one battery mounted in the wireless input unit of Kimura with the wireless input unit of Klein in order to give the wireless input unit battery power combined with the capability of being recharged when the batteries lose power.

5. Claims 42 and 44, as dependent on claims 41 and 43, respectively, are rejected under 35 U.S.C. 103(a) as being unpatentable over Klein in view of Kimura et al.

As to Klein's disclosures, see above rejections.

As to claim 42, Klein does not disclose that that the act of physically connecting the input device with the base includes signaling the computer that the input device is connected with the base.

Kimura discloses that that the act of physically connecting the input device with the base includes signaling the computer that the input device is connected with the base in column 10, lines 25-43.

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the connection-signaling device of Kimura with the input device of Klein in order to allow the computer and user to know when the input device is fully connected, ensuring that the input device will not get misplaced.

As to claim 44, Klein does not disclose that that the act of physically connecting the input device with the base includes signaling the computer that the input device is physically separated from the base.

Kimura discloses that that the act of physically connecting the input device with the base includes signaling the computer that the input device is physically separated from the base in column 10, lines 25-43.

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the separation-signaling device of Kimura with the input device

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of Klein in order to allow the computer and user to know when the input device is fully connected, ensuring that the input device will not get misplaced.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tran et al (U.S. Patent No. 5,805,415) discloses a detachable panel flat panel computer display and support.


Batio (U.S. Patent No. 6,081,207) discloses a multipurpose, folding and portable computer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher J. Maier whose telephone number is (703) 605-1213. The examiner can normally be reached on Monday - Friday 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Saras can be reached on (703) 305-9720. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 703-9314 for regular communications and (703) 308-9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

CJM
cjm
August 10, 2001


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